



MINUTES

EXECUTIVE BOARD

CORRECTED 04/23/2014

**Eighth Meeting
2013 Interim
January 13, 2014**

**Room 413
State Capitol
Pierre, South Dakota**

The eighth 2013 interim meeting of the Legislative Research Council Executive Board was called to order by Chair Ryan Maher at 3:08 p.m. (CST), January 13, 2014, in Room 413 of the State Capitol, Pierre, South Dakota.

A quorum was determined with the following members answering the roll call: Senators Corey Brown, Phyllis Heineman, Larry Lucas, Ryan Maher (Chair), Deb Peters, Deb Soholt, and Craig Tieszen; and Representatives Lance Carson (Vice Chair), Brian Gosch, Spencer Hawley, Charles Hoffman, Isaac Latterell, Betty Olson, Kathy Tyler, and Steven Westra.

Staff members present included Fred Schoenfeld, Interim LRC Director; Reuben Bezpaletz, Chief Analyst for Research and Legal Services; Doug Decker, Code Counsel; Ann Mehlhaff, Chief Analyst for Fiscal and Budget Services; and Traci Thompson, Legislative Secretary.

For the purpose of continuity, these minutes are not necessarily in chronological order. Also, all material distributed at the meeting is attached to the original minutes on file in the Legislative Research Council (LRC). This meeting was web cast live. The archived web cast is available at the LRC web site at <http://legis.sd.gov> under "Interim – 2013 – Agenda, Minutes and Documents."

Approval of Minutes

REPRESENTATIVE HOFFMAN MOVED, SECONDED BY SENATOR SOHOLT, THAT THE MINUTES OF THE DECEMBER 16, 2013, MEETING BE APPROVED. The motion prevailed on a voice vote.

Approval of Agenda

SENATOR HEINEMAN MOVED, SECONDED BY SENATOR PETERS TO APPROVE THE AGENDA. The motion prevailed on a voice vote.

Management Team Reports

Administration

Mr. Fred Schoenfeld, Interim Legislative Research Council Director, told the Executive Board that he had been very busy getting ready for the Legislative Session and **Mr. Doug**

Decker, Code Council, had been working on senior legal work and they would pass on giving a report at this time.

Research and Legal Services

Mr. Reuben Bezpaletz, Chief Analyst for Research and Legal Services, stated that the pre-filing went well. The number of agency bills that came in was typical of what has come in during past years; however, the number of pages was higher. He also mentioned, with regard to hiring a committee secretary to help proof pre-filed bills, it was determined more beneficial to have the new staff attorney, Roxanne Hammond, look over the bills, checking not only for typographical errors and grammar issues, but also being used as a learning opportunity for her to see how bills are written and at the added benefit of not having the extra expense of hiring another person. Mr. Bezpaletz also mentioned that most of his time had been spent working on protocols and would be happy to address the document, Protocols For Nonpartisan Staffing Of Partisan Caucuses, with the Executive Board.

Fiscal and Budget Services

Ann Mehlhaff, Chief Analyst for Fiscal and Budget Services, stated that the fiscal staff has been spending considerable time personally briefing appropriation members on the big issues for this session. She also told the board that Mr. Jason Dilges will give a budget overview this week and then they will go on to the other agency reports next week. As for the Legislative Research Council budget report, Ms. Mehlhaff said that the balance remains consistent with those of previous years in all areas but two. She stated that retirement payouts, with regard to vacation and sick leave, will be higher than normal this year and there would also be expenses incurred with hiring a new director. She felt that the money appropriated last year should cover these additional costs.

Executive Session

REPRESENTATIVE CARSON MOVED, SECONDED BY SENATOR REPRESENTATIVE OLSON, THAT THE EXECUTIVE BOARD GO INTO EXECUTIVE SESSION. The motion prevailed on a voice vote.

The Executive Board recessed at 3:13 p.m. and went into Executive Session.

REPRESENTATIVE CARSON MOVED, SECONDED BY REPRESENTATIVE GOSCH, THAT THE EXECUTIVE BOARD COME OUT OF EXECUTIVE SESSION. The motion prevailed on a voice vote.

The Executive Board came out of Executive Session at 4:01 p.m.

Action on Search for Permanent Executive Director

Chair Ryan Maher reminded the board that there had been a search committee appointed at the previous meeting to identify potential recruiting/candidate search firms and to collect proposals and to identify the costs; and secondly, to establish the job description and criteria for the job of the executive director and to then bring their findings to the board at the January 13, 2014, meeting (**Documents 1 and 2**).

SENATOR TIESZEN MOVED, SECONDED BY REPRESENTATIVE HOFFMAN TO AUTHORIZE THE CHAIRMAN TO NEGOTIATE A CONTRACT WITH SLAVIN MANAGEMENT CONSULTANTS FOR AN AMOUNT UP TO \$25,000 PLUS TRAVEL EXPENSES FOR CANDIDATE INTERVIEWS TO ASSIST IN THE SEARCH FOR AN EXECUTIVE DIRECTOR WITH A SALARY RANGE OF \$120,000 - \$150,000. The motion prevailed unanimously on a roll call vote with 15 voting AYE. Those voting AYE: Brown, Heineman, Lucas, Peters, Soholt, Tieszen, Gosch, Hawley, Hoffman, Latterell, Olson, Tyler, Westra, Carson, and Maher.

SENATOR REPRESENTATIVE OLSON MOVED, SECONDED BY REPRESENTATIVE LATTERELL THAT A SUBGROUP MADE UP OF SENATOR LUCAS, SENATOR SOHOLT, SENATOR TIEZSEN, REPRESENTATIVE CARSON, REPRESENTATIVE HAWLEY, AND REPRESENTATIVE WESTRA BE FORMED TO MEET WITH SLAVIN MANAGEMENT CONSULTANTS. The motion prevailed on a voice vote.

Protocols For Nonpartisan Staffing Of Partisan Caucuses

Reuben Bezpaletz stated that work had been done on the document, Protocols For Nonpartisan Staffing Of Partisan Caucuses (**Document 3**), after discussing and understanding the needs of the legislators. Mr. Bezpaletz felt it was necessary to have something in writing so that legislators would understand the proper steps needed to be taken when requesting a member of the LRC staff attend a partisan caucus.

Senator Brown stated that he felt the rules were well written and the expectations had been met.

Senator Lucas said that he originally opposed this idea, but as issues have been brought forth, he felt that it was unlikely that there could be abuse. He also stated that understanding what may be unconstitutional would help the legislators with their bill drafting.

SENATOR BROWN MOVED, SECONDED BY REPRESENTATIVE LATTERELL, THAT THE DOCUMENT, PROTOCOLS FOR NONPARTISAN STAFFING OF PARTISAN CAUCUSES, BE ADOPTED AS PRESENTED. The motion prevailed on a voice vote.

REPRESENTATIVE OLSON MOVED, SECONDED BY REPRESENTATIVE CARSON, THAT THE EXECUTIVE BOARD BE ADJOURNED. The motion prevailed on a voice vote.

The Executive Board adjourned at 4:17 p.m.